MOSCOW FIGHTING RENEWED

CHIEF OF THE SECRET POLICE KILLED BY THE REBELS.

More Troops Reach the Stricken City and Are Attacked-Revolutionists Operate Their Own Railroad-The Workmen in St. Petersburg Disarmed.

Special Cable Despatches to THE SUN

St. Petersburg, Dec. 28.-Revolutionaries at Moscow to-day forced an entrance into the private residence of the Chief of the Secret Police, told him to bid farewell to his family, and then shot him.

Artillery firing is proceeding on Sadowaja street, Moscow, to-day. Shops on the main streets are open. The strikers and extremists, who are tired out by their open war with the troops, are not quite so

aggressive as they were. t. Petersburg remains entirely quiet A number of news sellers were arrested on the Nevski Prospekt to-day for crying false news and were summarily imprisoned for three months under a new ordinance. The false news they were calling included the reported arrest of Secretary of the Interior Durnovo by the strikers.

WORKMEN AT CAPITAL COWED. St. Petersburg, via Eydtkuhnen, Prussia, Dec. 28.-The disarmament of the proletariat has been carried out systematically since morning. A large force of Cossacks and infantry occupied the workmen's quarters across the Neva. Troops surrounded each block of tenements and gendarmes entered the houses and ransacked every room. They found hundreds of revolvers and a few rifles. One house had a new machine gun and plenty of ammunition for it.

The workmen are discouraged by the continuous arrest of their leaders, over a thousand of whom are now in the jails of St. Petersburg. The only serious resistance they have made was in the Wiborg quarter. where the Cossacks destroyed the first hastily erected barricade. The workmen are eager to fight, but very few of them are

Some disturbances occurred here vesterday. At the Laferme tobacco factory Cossacks came into collision with a body of demonstrators and eventually dispersed them. A similar conflict took place on the Schlusselburg road, with the result that several were killed and wounded. In the same district a bomb factory was discovered.

Meanwhile the Emperor continues to show all possible attentions to the army. He has arranged that one regiment shall be received weekly at Tsarskoe-Selo from the forces now stationed near the capital The programme is to give the men a hearty dinner while the officers lunch in the palace with the Emperor. He converses with each one and then spen is some time in the men's dining hall.

ODESSA, Dec. 28.-Martial law was proclaimed here to-day.

MORE TROOPS IN MOSCOW.

LONDON. Dec. 29.-There are many reports that the rebels in Moscow are weakening, some going so far as to say they are crushed. These mostly come from St Petersburg. It is impossible to verify them. They can only be quoted from their respective sources.

A St. Petersburg despatch has reached Berlin saving that Wednesday night passed quietly in Moscow, and that on Thursday the fighting seemed to be all over, order

The St, Petersburg correspondent of the Daily Mail, telegraphing yesterday, said that the revolutionists in the Pryessnya area in Moscow had despatched messengers to the mayor requesting him to parley for terms on their behalf with the Governors. Prvessnya revolutionists are ready to surrender their arms and ammunition provided immunity from punishment is guaranteed.

Ten more battalions of troops arrived by train at Moscow yesterday. Among them were detachments of the Guards from St. Petersburg, including the famous Semsonovsky Regiment, with machine guns and 250,000 rounds of ammunition. They were attacked the moment they left the

The revolutionists along the railway and in the Sadovaia, Arbat and Tverskaia quarters are still fighting, though they are apparently losing heart. The bombardment of these areas continues. Shops and offices are beginning to open in other quarters. A few factories are resuming work.

The Telegraph's St. Petersburg correspondent records reports that the insurgents are losing, but he clearly doubts them. He says:

"Doubtless numerous arrests and deaths have decimated their numbers, but none the less the insurrection is continuing unabated. Between Moscow and Perovo everything is in the hands of the revolu- of death. tionists, who run their own trains, have sonnel. The revolutionists' line is remarkably well fortified. Red flags are flying all over it.

The imperial troops, we are told, are faithful. Their attitude under trying conditions certainly demonstrates the truth of the statement, but then they are still too few and cannot long withstand the tactics of the Anarchists without repose. Many of them, exhausted or enervated by long hours, constant danger, hard work and enfeebling privations, are becoming physically unfit to take an active part in further skirmishes and are kept indoors. Several officers, too, are either physically unstrung or wholly demented, and their services

cannot be demanded." The correspondent interviewed one of the few influential revolutionists who has not vet been imprisoned. He found him still hopeful of success. He admitted that the lukewarmness of St. Petersburg had damaged the cause, although it was foreseen. The correspondent adds that revolutionary optimism was originally really based on tangible grounds, entire plans having been carefully elaborated, not only for the two capitals, but for other towns.

On Moscow most trust was placed because of the splendid opportunities the city offered. It may be compared with a Chinese city, consisting of a series of labyrinths. whence a hundred men can harass 5,000 soldiers with impunity. St. Petersburg, with its broad, long streets and spacious squares, is utterly unsuited for partisan

ASTONISHING STRENGTH OF UPRISING. The Times prints a despatch from its St. Petersburg correspondent, dated Thurs-

Continued on Second Page

OPEN NEW YEAR'S EVE. FLATIRON RESTAURANT, 28d St. and Broad-

EXPLOSION SCARED GUESTS. But Mr. Mallory Temporarily | Concealed

the Fact That a Man Was Killed. GREENWICH, Conn., Dec. 28.-James Mackey, aged 38, gardener for Charles Mallory, the head of the Mallory Steamship Company, was killed in the explosion of an acetylene gas tank on the Mallory estate at Byram Shore this evening while a company of twenty guests from New York and Brooklyn were assembling for a card party.

While the dead body lay on the lawn a hundred feet from the house the guests proceeded with their merriment, not having been informed of the fatality and being assured by Mr. Mallory that the accident was a trivial one. The Mallorys, Charles, Henry and George, have estates at Byram Shore next those of Joseph Milbank and

P. Chauncey Anderson of New York. Every greenhouse on these estates was shattered, the windows on one side of Charles Mallory's house were all shattered, as were those in the barn, while 100 fowls in the house close to the tank were killed instantly. The gas machine, a Colt, and a large tank were in a house 15 feet square, 350 feet from the residence. The house and stable are lighted with electricity, while the acetylene plant was kept as an auxiliary.

Mrs. Mallory recomposed her guests after the explosion and Mr. Mallory telephoned for Medical Examiner Jones, Undertaker Knapp and Constable Nedley. All arrived by a road which kept them from the house. and were ordered to keep the death a secret until after the party broke up. Denials of any injuries or death came to those who inquired by telephone. Mr. Mallory, greatly moved by the fatality, left the entertaining to his wife, while he was alert to keep every one away from the house.

It was 11 o'clock before the guests departed. Then the body was removed to the morgue. Mackey had a wife, but no children.

Sent \$5 to Every Park Man in Recognition datory. The modification which the comof Good Roads.

work along the east and west drives were called to the office of Park Commissioner roads and then lease the operating rights Parsons yesterday, and \$5 was handed to or let the construction by contract and each as a New Year's present on behalf

of Mrs. Russell Sage. Mrs. Sage called upon the Commissioner and told him that she was very much for the construction of subways bonds that interested in Central Park and was shall not be counted in the city's debt gratified to see the excellent condition in limit. Such an amendment could not bewhich the laborers had maintained the drives. She said she was desirous of mak- A majority of the Commissioners at yestering them a present to encourage them in day's meeting were of the opinion, however, the work they were doing.

HORN HELD FOR COLLISION. Poughkeepste Train's Fireman Says "Go

Ahead" Signals Were Shown. A Coroner's jury brought in a verdict vesterday holding Engineer John B. Horn responsible for the "side wips" collision between Poughkeepsie and Stamford trains in the New York Central tunnel on December 19. James W. Knapp was killed in the collision. Horn was engineer of the Pough-

keepsie train William H. Kirk, fireman of the Poughkeepsie train, swore that all the signals were "go ahead." All the witnesses except Kirk said that the signals were set against

the Poughkeepsie train.
Coroner Scholer held Horn in \$2,000 bail to await the action of the Grand Jury.

DEAD MAN IN BATTERY CAVE-IN. Steam Excavator Dragged Out Body When

Walls Were Shored Last Night. trench running through Battery Park at cent, in assessments would be too radical. General. The mayor assented. The 12:30 o'clock this morning. At the time He pointed out that the value of real estate day evening, it was said that one of the aborers had been caught in the slide, but

laborers had been caught in the side, but the fact was denied later.

On Sunday relatives of Filipe Difanta of 127 Adams street, Hoboken, reported to the police that he hadn't gone home and that he worked in the excavation. When workmen had succeeded late last night in shoring up the west wall, which had collapsed, a gang was put to work with a steam shovel digging out the fill in.

After the huge shovel had been plunged.

After the huge shovel had been plunged into the mass of mud several times, it finally

came up gripping Difanta's right foot and with his body dangling in the air. The Church street police locked up Foreman Thomas Sullivan on the usual technical charge of homicide

STOWAWAY'S HARD TRIP.

Scaled in Vessel's Hold Without Food or Drink From New York to Galveston.

GALVESTON, Tex., Dec. 28.-Carl Joseph Kuhler, 16 years old, who says his home is 305 Columbus avenue, Jamaica, Long Island, and until December 16 employed at Bloomingdale Bros., New York, lies at the John Sealy Hospital in this city at the point

The boy on last Monday stole aboard the their own engine drivers and entire per- Mallory steamer Comal and secreted himself in the third hold. The third hold contained bonded goods and was sealed when filled. This cut off both ventilation and the hope of the lad to climb out on deck after the steamer got to sea.

The sandwich he had in his pocket was

consumed for Monday night's supper, leaving him without food and drink the remaining days of the voyage. The limp body of the boy was found at 11 o clock this morning and efforts at resuscitation were successful. Every ef-

fort will be made to restore him, but the doctors almost despair of his life. ERNEST L. HEEBNER ARRESTED.

Wife Alleges Descriton and Non-Support

Under \$1,000 Ball. PHILADELPHIA, Dec. 28 .- Mrs. Margaret E. Heebner, who four years ago created sensation in society by eloping with Ernest L. Heebner, has had her husband arrested for desertion and non-support. He is under \$1,000 bail. She says he is enamored with a little actress in the "Pearl and the Pumpkin" company. He has not

lived with his wife since last August When Mrs. Heebner eloped with "Handsome" Heebner, she was only 19. She is a daughter of William H. Esrey, a retired manufacturer, and very wealthy. It was after their baby came that Heebner, it is charged, began to neglect his wife. .

KING'S ASSAILANT IN ARMY. Anarchist Who Shot at Edward VII. in

BRUSSELS. Dec. 28 .- Sipido, the young anarchist who fired an ineffectual shot at King Edward, then Prince of Wales, in the Brussels railway station during the early stages of the Boer war and was sent to reformatory at Namur, where he has e been, has been released and was since been, has been released enrolled in the army yesterday.

LONG ISLAND RAILROAD. Train 101, leaving 34th St. 10:30 A. M. for the Hamptons, and train 66, leaving Amagansett 8:25 P. M. will be operated until January 8th, inc. -- Ade.

COMPETITION FOR SUBWAYS.

R. T. COMMISSION HAS ASSUR-ANCES FROM CAPITALISTS.

Prepared to Seek Legislation if Necessary to Allow the City to Build and Operate -John B. McDonald Will Be Associated With the Ryan-Belmont Company.

President Alexander E. Orr of the Rapid Fransit Commission said yesterday after an executive meeting of the board that there were no grounds for the fears which were being fostered in some quarters that the merging of the local traction interests would mean that it would be impossible for the commission to carry out its plans for a comprehensive interborough subway If the commission when it advertises for bids for the new routes seems to be in danger of finding no competition it will go to Albany to get legislation enacted which will allow the city to build and operate

projected subways. But more than one group of capitalists have let the commission know already that there need be no fear of lack of competition. One of the Commissioners said yesterday that actual assurances had been received that the board could expect sharp bidding for the new routes. He refused to say from whom these came, but he said that they came from men who could command all the capital needed. It has already been made known that John W. Gates has formed a syndicate to bid for the route which has been laid out under Third avenue from Harlem to the Battery.

It was determined at the meeting of the board yesterday to seek to have passed at Albanya modified form of the Elsberg bill which was defeated at the last session This bill provided that the city should construct future subways and might then contract for their operation or operate them MRS. SAGE'S GIFT TO LABORERS, itself. The measure was opposed by the commission for the reason that it was manmission will suggest will be that it be left About 200 laborers in Central Park who to the option of the commission to determine whether or not the city shall construct the operate the roads. Another bill which will be introduced will be for a constitutional amendment to authorize the city to issue come effective until the beginning of 1908 that a constitutional amendment of this kind would be the only effective means of

putting the city on safe ground. A third proposition was one made by Comptroller Grout. He suggested that if the law providing for the taxing of real estate to its full value was lived up to the city would be in a position to go ahead with the building of the subways without waiting for a constitutional amendment. In a report made last July Mr. Grout showed that real property in this city is now taxed on only about 77 per cent. of its market value, and that if the assessments were made on the actual valuations the city would be in a position to increase its borrowings by more than \$122,000,000. It has now a margin of about \$50,000,000, so that by increasing the assessments there would be \$172,000,000 that the city might borrow, which would be more than enough to build every route planned by the Rapid Transit

Commission 100 per cent. assessment proposal. He The body of an Italian laborer was found | did not attend yesterday's meeting, but he buried under tons of mud in the subway said that to his mind an increase of 20 per of the cave-in, which took place on Satur- | fluctuated, and it was necessary to leave some margin for periodical changing of

market values. President Orr after the meeting made this formal statement: "There is some anxiety on the part of the public growing out of the fact that a merger has been made between the Belmont and Metropolitan companies. This board is of the unanimous opinion that this influence, which it is feared might prevent the further developments of the subway system, is unduly exaggerated, and we believe that when we are prepared to advertise for bids for the building of the new routes there will be other bidders than the interests concerned in the combi nation. The board is going ahead as if no merger had taken place, and will proceed with its plans as rapidly as it can obtain commissions from the Appellate Division for the approval of the proposed routes

and to award the necessary consents." Whatever the combinations of capitalists which are to submit bids against the Belmont-Ryan company for subway construction, John B. McDonald, it was declared yesterday, will not be associated with any

of them. Mr. McDonald, it was stated, will be connected with the new company. His severance of relations with Mr. Belmont will not stand in the way, and his contract with Mr. Ryan will be as binding with the new company as it was before the merger. In the negotiations between Messrs

Ryan and Belmont which led up to the merger the former stipulated, it was said. for the retention of Mr. McDonald, and Mr. Belmont raised no particular objec-

Interborough stock fell off sharply vesterday, declining from 236 to 228. A rally toward closing brought the price back to 232, a net loss of four points for the day. Contracts for the common stock the new holding company sold from 58% to 60%. The bonds declined from 96½ to 95.

R. T. BOARD MAY HIRE GROUT As Advisory Counsel When the Letting of

New Contracts Comes Up. The Rapid Transit Commission yesterday adopted a resolution thanking Comptroller Grout for the valuable work he had given to the board during his two terms as Comptroller. The Comptroller is an ex officio member of the board and yesterday was the last meeting Mr. Grout will attend in that capacity.

Two or three weeks ago there was talk that one of the existing members might drop out to make room for Mr. Grout, but it is understood that this idea has been abandoned because of the possibility that such an appointment would prevent Mr. Grout from accepting legal retainers from the city There is now a strong possibility that Mr. Grout may be selected as an advisory counsel to the board when the time comes for the advertising and letting of the contracts for the new subways.

DEWEY'S "BRUT CUVEE" CHAMPAGNE. An American Wine for Americans. H. T. Dewey & Sons Co., 138 Fulton St., New York.

DYING IN THE AREAWAY. Ernest Weinman Terribly Injured by Fall,

No One Knows From Where. Ernest Weinman, a manufacturer of clothing at 1921/4 Greene street, was found last night lying in the areaway of the apartment house at 943 Park avenue, where he lived on the first floor with his wife and two daughters. He had internal injuries and fractures of both legs and the right arm,

and he died an hour later in the Presby terian Hospital. Mr. Weinman was in the habit of reaching his home each evening at 6:30 o'clock His dinner was waiting for him at that hour last night and his family had become very uneasy when he had not shown up at

About this time Edward Barr, who keeps a barber's shop on the ground floor, heard a noise and, going out to investigate found Mr. Weinman stretched out in the areaway just a few feet in from the sidewalk. In falling he had struck a barber's pole that stood at the entrance to the areaway and broke it.

Mr. Weinman was hurried to the hospital He died without having gained consciousness. How he came to fall or where he fell from is a mystery. Mrs. Weinman and her daughters are positive that he did not enter his own apartments. There is no trace of his having entered any of the

other apartments in the building. Mrs. Weinman said later in the evening that her husband's business was in good condition and that he was all right financially. She says that he had been suffering from mental trouble for some time and several times it was feared that his mind was badly affected. According to Mrs. Weinman, her husband suffered from fits of despondency, but his condition had improved recently.

ARCHÆOLOGISTS TO WED. Miss Boyd of Smith College to Be the Bride

of Prof. Hawes of Cambridge. PHILADELPHIA, Dec. 28.-Miss Harriet A. oyd, America's famous woman archæologist, is soon to abandon her chair of archæology at Smith College, and will go to England as the bride of Prof. Charles Hawes of Cambridge University, a noted authority on archæology and anthro

Miss Boyd made known her engagement ruins of Crete, where she had been sent to examine the buried prehistoric cities. They pursued their investigations to-

gether Prof. Hawes, who is two or three years the senior of his fiancée, who is 35, has been connected with Cambridge many years. He is known throughout England as an explorer, having made researches over almost the entire earth. Singularly enough the United States is the only country on the globe which he has not visited. He will set foot on it for the first time when he comes here in March to be married.

STOPPED MIKADO'S CARRIAGE. Citizen Seeks Pardon for Former Speaker Implicated in Recent Riots.

Special Cable Despatch to THE SUN. Tokto, Dec. 28,-On the opening of the Diet to-day the Emperor, in his speech from the throne, expressed his deep gratification at the honorable conclusion of hostilities and also expressed satisfaction at the renewal of the alliance with England and Japan's increasingly friendly relations

with all the Powers. He pledged himself to endeavor to cultivate Corea's friendship while guiding its development. He enjoined harmony and consideration of the importance of Japan's

present needs. Just as the imperial procession was entering the grounds of the Diet a dramatic incident occurred. A citizen of Okayama sprang out of the crowd and endeavored to thrust a petition into the Emperor's carriage in accordance with the custom of feudal days.

The police drew their swords and the petitioner was roughly handled. He declared afterward that he desired the Emperor to pardon Hironaka Kono, former Speaker of the lower house of the Diet who was arrested last month with three other members of the Diet on a charge of complicity in the riots in September which followed the signing of the treaty of peace The first business session of the Diet will

be held January 20.

SAYS MUSEUM IS FULL OF FAKES. Charged That Sommerville Collection at University of Pennsylvania Is Spurious.

PHILADELPHIA, Dec. 28. Just when it seemed that the famous controversy that raged over the question whether Assyriologist Herman U. Hilprecht had or had not discovered the Nippur Library and whether the clay tablets he sent to the University of Pennsylvania were or were not genuine had quieted down, and the university was to have a rest, a greater and more absorbing scientific soundal has lifted up the lid of that institution and shaken it from chapel to museum.

It is now charged that the famous collection of gems and glyptics and talismans given to the university museum by the late Prof. Maxwell Sommerville are spurious with the possible exception of two pieces. It is asserted that the equally famous

Buddhist temple, which Prof. Sommerville was supposed to have had sent piece by piece from Japan, is equally spurious, and that its parts were bought from various curio shops in Philadelphia and New York.

The museum trustees, it is asserted, knew of the bar sinister on both exhibits, but Sammerville left the museum \$40.000. but Sommerville left the museum \$40,000 and he put the exhibits in himself before

One basis for the charges against the genuineness of the Sommerville gems is what is known as the "Triumph of Con-stantine." Prof. Sommerville wrote a monograph about this in which he said stantine. was the third most valuable specimen in the world. Now the original has been located in an Italian collection. The Triumph was considered the star of

ne collection. S. Hudson Chapman, who is a famous glyptologist, makes the charges. He is only the mouthpiece of a powerful clique who were the hackbone of the assault on Hilprecht. He has been at work for a year gathering data to show the spuriousness of the Sommerville collection. He says he has succeeded so well that now only two gems remain with reputations unen-

Chapman threw the bomb at the annual meeting of the contributing board of the museum held to-day. He offered a resolu-tion which called for experts to thoroughly investigate the collection, and "that such gems as are found to be spurious be rejected."

GOLD SEAL CHAM PAGNE—America's Favor ite—has the sparkling bead and arona possessed by no other wine. Cost half French Wine.—Agu

SEABOARD FLORIDA LIMITED.
Handsomest and quickest Florida train.
tric lighted. Seaboard Air Line Offices,
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HIGHWAYMEN CAPTURE \$5,000

FIVE MASKED MEN WAYLAY PAY-MASTER SCHEIK.

Spring Out of a Thicket and Cover Him and Foreman Hawkins With Shotguns-The Leader Then Demands the Money Bag and Grabs It From the Wagon Seat

NEW BRUNSWICK, Dec. 28.—Five masked men armed with shotguns held up William Scheik of Newark, paymaster of the Delaware Construction and Trap Rock Company, on the trolley road one mile east of here this afternoon and robbed him of \$5,000 in cash which he was bringing here to pay off the men employed by the construction company. The highwaymen made their escape, but a half hour later several hundred men were hunting them.

This evening it is believed the highwaymen have hidden in the swamp between Stelton, two miles from here, and the Lehigh Valley Railroad tracks toward Bound Brook. If the men have reached this swamp they stand an excellent chance of getting away.

Yesterday was the regular fortnightly payday of the construction company's employees. The company, in which the Shanleys of Newark are heavily interested is putting conduits underground between Trenton and New York for the Bell Telephone Company. The laying of the conduits has been completed as far as New Brunswick. Three hundred men are employed, most of them Italians. It is supposed that the highwaymen are discharged laborers who were familiar with the paymaster and the way he carried his money

Scheik drew the money to pay the men in Newark and he started to drive to New Brunswick in a buggy carrying the money in a satchel. Accompanying him for safety was William F. Hawkins of New Brunswick, a foreman of the contracting concern. Neither man seemed to think they were in any danger of attack from highwaymen,

for neither carried a revolver. They were jogging along beside the trolley tracks running into New Brunswick with never a thought of danger, and were within a mile of the town when they came to a dense thicket near the road. Out of to-day. She met Prof. Hawes among the this thicket dashed five men. The man who was apparently the leader of the five was bareheaded and from his appearance an Italian. He had no weapon, but his companions carried shotguns. They all

wore masks. The leader grabbed the horse's head while two of his companions jumped one to either side of the buggy with shotguns aimed at the occupants. The two men in the buggy threw up their hands. Then the leader let go of the horse and said:

"We want the money bag." The satchel was on the seat between Scheik and Hawkins and in plain view of the highwaymen. The leader of the gang saw it and leaned over Scheik and grabbed it. With that two of the men lowered their shotguns and darted into the thicket with the man who had the money bag. The other two covered their retreat for five minutes. Then they, too, lowered their guns and dis-

appeared in the thicket. It all happened so quickly that Scheik and Hawkins were dazed. Being unarmed they realized that they could not do anything, so when they felt sure they were not being watched further by the highwaymen they lashed their horse and started for this city to give the alarm. Before they got to the town they found a telephone. Scheik telephoned the police of his loss, and the police here promptly notified the police of nearby towns as well as the Public Prose-

cutor here. Then the two men drove to the construct tion company's plant here and gave the alarm. The 300 workmen dropped their search the countryside for the highwaymen. The whole police force of this town was turned out to aid in the search. Detective Muivey and Constable Grover started away in a buggy to the scene of the holdup. They could not find any trace of the highwaymen there and concluded that they had made

for the swamp that is near Stelton. They drove toward the swamp, and when they were within half a mile of it they saw four men, carrying shotguns, dashing into the brush. They were too far away to fire at the suspects, and when they reached the point where they had disappeared there was no sign of them. As it was almost dusk they thought it would be a foolhardy undertaking to follow the men into the swamp. When Grover and Mulvey re-ported what they had seen the police of Bound Brook and the Lehigh Valley Railread detectives were asked to be extra

vigilant in keeping a lookout. To-night two suspects were arrested at Metuchen, and Hawkins went there to see if he could identify them. There is small chance that they are the right men, and if they were Hawkins would have difficulty in identifying them, as all five men were masked. They were all dressed like laborers, and the police are reasonably certain

At 11 o'clock to-night two other Italians, carrying shotguns, were arrested by officers Caufield and McCarthy and locked up in Westfield, a place near Plainfield. The Italians were on a trolley car going toward New York. There was nothing suspicious about them with the exception of the guns

The many searching parties, with the exception of Grover and Mulvey, did not strike the trail of the robbers. If the Italian laborers had found the highwaymen the latter would have fared ill. The swamp where the men are believed to be hiding is waste where criminals have hidden before. It was there that Long the murderer hid himself for a week. He was finally captured after hunger drove him to seek food.

ELLIOT DANFORTH VERY SICK. of Typhoid.

Elliot Danforth, former State Treasurer, s seriously ill at his home, 51 East Fiftyeighth street. He is attended by Dr. Clinton L. Bagg of 26 West Forty-sixth street, who has called into consultation Dr. Edward D. Fisher of 19 West Fifty-second street, a specialist on nervous cases. Mr. Danforth's son, Dr. Edwin Danforth, is also in attendance. Dr. Bagg said last night:

"Mr. Danforth has been quite ill for a Last spring he had typhoid fever which left him very nervous. At present he is suffering from a serious nervous break-down. He is seriously ill, but not critically. He is in for a long siege of sickness. Danforth is 55 years old.

For Albany, Uttea, Syracuse, Rochester, Buffalo, Niagara Falls and the West the New York Central has trains at 8:30, 8:45, 10:20, 11:15 A. M.; 1:02, 1:06, 2:04, 8:30, 3:40, 3:42, 4:00, 4:30, 5:29, 5:30, 8:00, 7:30, 8:00, 9:20, 9:30, 11:30 P. M. Can you do

KILLED RICH FATHER-IN-LAW.

Dentist Simpson Says His Gun Went Off by Pure Accident. NORTHPORT, L. I., Dec. 28.-Dr. J. W.

Simpson, a New York dentist, shot and killed his father-in-law, Bartley T.'Horner; on Wednesday. He says it was a pure accident, but he was put in the custody of Policeman Hawger pending an inquest. Mr. Horner was one of the wealthiest men in this part of Long Island. Dr. Simpson says that, not sus-

pecting that the gun was loaded he handled it carelessly. Mr. Horner was sitting in a chair reading a paper and he received the full charge of birdshot in the side. He fell to the floor unconscious and died two hours later. Mr. Horner was 55 years old. He had

been the Southern representative of the Lorillards, but he retired several years ago. Dr. Simpson married his only daughter. She was in the house when the shooting occurred.

QUEEREST SUBWAY INJURY. Man Flung From Speeding Car Through

Door Opened by His Coattails. Frank Webster, a grocer at 1729 Amsterdam avenue, was injured in the subway last night and had a narrow escape from being killed. He got on a northbound local train at Columbus Circle, and in walking from one car to another his overcoat got caught in the lever that controls the opening and shutting of the doors. In way he yanked the door open and just then the train, rounding a curve, swerved,

causing Webster to pitch out into the tunnel. Conductor Aaron Greenbergh, who had witnessed the accident, signalled to the motorman and the train was stopped. The crew ran back and found Webster on the express tracks. He was unconscious and was removed just in time, as a northbound express came thundering along.

The injured man was placed aboard the train and taken to the Sixty-sixth street station. An ambulance was summoned and Webster was taken to Roosevelt Hospital. He was found to have been seriously injured internally.

SAVED 'EM, BUT CUT 'EM DEAD. Rescuers and Rescued Crew Belong to Different Unions.

The Martha E. Wallace, a four masted schooner of Brunswick, Ga., brought into port yesterday the crew of the three masted schooner Fanny Ritchie, which she ran down and sank last Saturday night off Winter Quarter lightship. The Martha E. Wallace was on her way to this port and the Ritchie was bound from here to Philadelphia. The Ritchie was running before the wind, in thick weather, and the four master

crashed into her starboard quarter Capt. Thompson of the Ritchie got his men on to the bow of the Martha E. Wallace before his own ship went down. Then trouble really began. Capt. Ray and the crew of the Wallace gave the Ritchie's men plenty to eat and dry bunks, but there hospitality stopped. The crews ate at separate messes and no man of the Wallace would speak to a member of the Ritchie's

crew. The Wallace's men belong to the Atlantic Coast Seamen's Union and the Ritchie's to the American Federation of Seamen.

The organizations are extremely hostile. JEWELS IN HER CHATELAINE. \$2,000 Worth-Mrs. Westervelt Lost Them

on Broadway, or Maybe They Were Stolen. Mrs. Isaac Westervelt of 235 West Seventyfourth street reported to the Tenderloin police station last night that she had lost \$2,000 worth of jewelry on Broadway. She picks and shovels and in gangs began to had been shopping in Twenty-third street she said, and discovered her loss when she

reached the Victoria Hotel. The jewels were in a chatelaine bag. Mrs. Westervelt didn't know whether she had lost them or whether they had been stolen. Detectives were assigned to the case. Mrs. Westervelt said that her husband was in business at 45 and 55 Broad-

way. SCRIPTURE VERSUS PASSES.

P. R. R. Sends Facetious Cards to Those Formerly Favored. PHILADELPHIA, Dec. 28.-Instead of their annual passes on the Pennsylvania Railfavors received the following cards to-

THE SCRIPTURE VERSUS PASSES:
"Thou shall not pass." Numbers xx.. 18.
"Suffered not a man to press." - Judges III., 28.
"The wicked shall no more pass." - Naham 1., 15. "Though they roar, yet can they not pass."-

"He paid the fare and went," -Jonah L. 3. A politician who is a trifle provoked over the anti-pass order, suggested that the Pennsylvania's New Year cards be re-

turned with this indorsement: "It will be remembered that Shylock draws upon Holy Writ to make a point in 'The Merchant of Venice,' and that Bassanio retorts that 'The Devil can quote scripture to his purpose."

NEWPORT BARRACKS SET AFIRE. Quarters of Battery Burned Out at Fort

Hamilton Object of Incendiary. NEWPORT, R. I., Dec. 28 .- It was learned to-day that several attempts were made recently to burn the barra ks used by the Eleventh Siege Battery at Fort Adams and that but for the sentries a serious fire

would have resulted. The Eleventh Battery came from Fort Hamilton, New York, where their barracks were burned, it being thought at the time that it was the work of an incendia. Several men were in the guardhouse at the fort pending an investigation.

HIS POST ONLY THIRTY MILES. Trial Brings Out Curiosities of Staten Island Police Duty.

Mounted Policeman William F. Faulken-

berry of Staten Island was on trial before Deputy Commissioner McAvoy at Police Headquarters vesterday charged with being late in sending in an alarm for an early morning fire on his post. Is your post a big one?" asked the Com-

"Oh, only about thirty miles," replied the "Were the reserves turned out for the e?" continued the Commissioner.

"Yes, sir, he was there. His name was illiam I. Peters." 'Is that all the 'reserves' there were?"

"How far away were you when this fire occurred?" "Between five and six miles, sir."
"Decision reserved."

J. A. BURDEN TELLS HIS STORY

TESTIFIES TO THREATS MADE IN NAME OF "TOWN TOPICS."

Broker Post Swears That Ahle Told Him Col. Mann Got Percentage of "Smart Set" Graft-Mark Twain in Court to

Roast Mann, but Doesn't Get Chance. James A. Burden, Jr., has made good after all. He came forward yesterday in the Mann-Collier hearing and told fully and freely of the alleged attempt of Robert W. Irving to blackmail him in connection with "Fads and Fancies." It was a pretty tale, with much detail which has not come out

before. Edwin W. Post told again how Charles Ahle had tried to hold him up in connection with "America's Smart Set."

In the preliminary examination of Ahle, Post told the same story, but at that time the laws of evidence kept out certain points pertaining to the Mann case, which Mr. Post brought out yesterday. Both Mr. Burden and Mr. Post testified to facts tending to show that Col. Mann knew of the operations of Irving and Ahle. Peter Cooper Hewitt was sworn, but did not

testify. These were not the only sensations of the day. Mark Twain was in court, with the air of a man who had come for business. It is understood that he was mad clear through over a paragraph in Town Topics last week and that he wanted to see Col. Mann face to face. The Colonel, however, was still down with neuralgia; so Mr. Clemens, after listening to some of the testimony, departed

in peace. This case was brought to a temporary close yesterday. The case of Norman Hapgood, editor of Collier's, indicted for criminal libel on Justice Deuel, is to come up on January 2, and James W. Osborne, attorney for the Collier interests, asked for time to prepare his defence. The case in court vesterday, which is the preliminary examination of P. F. Collier, Robert Collier and Norman Hapgood, charged with crimi-

nal libel against Col. W. D. Mann, may or may not be resumed after the Deuel case. When Magistrate Whitman took his seat yesterday in the chambers of the West Side court the little room was crowded to the doors. Mark Twain walked in just before the case was called and took a seat beside Mrs. Robert Collier. His appearance sent a flutter over the room and the rumor flew that he was going to testify. He chatted a few moments with Mr. Osborne and settled down into his seat to cast his

hawk eyes over the proceedings. Something in his manner showed that he was mad clear through. It appears that the cause of Mark's anger was a statement in Town Topics this week to the effect that he had praised the appearance of "Fads and Fancies" and wished that his own

works might be bound so beautifully. William L. Daniels, treasurer of Town Topics and also of "America's Smart Set," was first on the stand. He did not add much of importance to his previous testimony. There were 105 copies of the book delivered to Town Topics. There were ninety-six subscribers. Incidentally, Mr. Daniels dug up another bunch of contracts, explaining that he had not understood that the Court wanted them all. They brought the number of contracts in evidence up to

eighty-four. The defence introduced a letter, getting Daniels to identify the signature of Col. Mann. It was written to Irving at Newport

and dated July 7, 1902. It congratulated Irving on getting a \$1,500 subscription, receipt of which the writer acknowledged. "There are a good many eligible people

in and about Newport," the letter continued.

"Now, I hope you will gather them all in."

Col. Mann testified last week that he did not know Irving. "Now, your Honor," said Mr. Osborne; "I should like to introduce at this point a witness who is a busy man and wants to testify and get away."

Nearly every eye in the room turned toward Mark Twain, who sat and glared

into space. The sensation came, but not from that direction. It was: "Call James A. Burden, Jr." Mr. Burden was sworn. He took the stand and in an easy, high bred voice, which Mr. Osborne was always asking him to raise so that the stenographers could hear him, began the story of his passage with road, those who have long enjoyed those Irving. It occurred, he said, in December, 1901. He had received a telephone message from some one, saying that a man was

> Counsel for both sides then let Mr. Burden go on with an uninterrupted story. "He said that he had come by appointment from Col. Mann to interest me in a work called 'Fads and Fancies of the Four Hundred.' He showed me a lot of their paraphernalia and asked me to subscribe. I said that I'd stay out. He pressed me, and I said that I didn't care to be in under

> coming from Town Topics to see him. The

man arrived and proved to be Irving.

any circumstances. "He said that Town Topics had treated my family well in the past and hoped to do the same in the future. I told him that I was not a public character and that it was a matter of indifference to me. He suggested that I subscribe without being in the

book. I asked: "'Why? The book is of no interest to

me. "He said: 'Well, as you won't subscribe, Christmas is coming. I have put in a lot of time with you and it's only fair for you to give me my commission, which is something like \$300. I don't like to go back to Col. Mann with a refusal. You know the editor of Town Topics wields a trenchant pen, and

he may not treat you so well in the future." " After the attorneys had stormed him with questions and objections, Mr. Burden went on to say that he had been growing more and more cold with Irving and ended by

giving him the cold shoulder. "I told him he could go-that I didn't want to talk with him," said he.

Mr. Scheurman of counsel for Col. Mann put the witness through a long cross-examination, mainly aimed at Mr. Burden's memory. Mr. Burden looked somewhat bored, but stuck to his story. He said that he had first spoken to Robert Collier about it some three or four weeks ago at a dinner at Mr. Whitney's in Roslyn. Afterward he went with Mr. Collier to the District Attorney's office, where he told the story to Paul Krotel. At that time he understood that the matter would not get to the newspapers until the trial came on. He objected to that, although he didn't object to appearing as complainant. Then the inquiry pumped

den: "Irving came by appointment made by Col. Mann, the person who announced him-

out a pertinent statement. Said Mr. Bur-